



Town of Tyngsborough
Zoning Board of Appeals
Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 115

TYNGSBOROUGH ZONING BOARD OF APPEALS MINUTES

January 10, 2013

APPROVED

Attachments:

1. Meeting Agenda
2. Application to the ZBA for 9 Madeline Terrace – Filed 10/17/12

Members Present: Robb Kydd, Chairman
Chris Mechalides, Vice Chairman
Claire Cloutier
Cheryl Bradley
Joseph Polin
Scott Bordeleau
Pamela Berman, Administrative Assistant

6:30pm Meeting was called to order by Chairman R. Kydd

Public Hearing #1

J. Polin sat out of this hearing.

JOSHUA PRIMEAU – 9 MADELINE TERRACE – Assessor Map 18, Parcel 41;
Request for VARIANCE from the requirements of Section 2.12.50 of the Tyngsborough Zoning By-Law, and a SPECIAL PERMIT under Section 2.15.24 to allow for the proposed construction of a second floor addition to an existing home in an R-1 Zone.
Advertised in the Lowell Sun Thursday November 29, 2012 and Thursday December 27, 2012 and Thursday January 3, 2013.

Abutters List Present and Complete

C. Mechalides: Motion to waive the reading of the Abutters List
C. Bradley: 2nd the motion
In Favor: 5 Opposed: 0
Passes: 5-0

Application Presentation by Applicant/Designee:

Applicant Joshua Primeau appeared before the Board to request a Variance and a Special Permit. Mr. Primeau stated that he intends to create a second floor addition where there will be 2 bedrooms. He went on to say that there would be 1 bedroom on the first floor, cabinets and a sink, but no stove downstairs. The footprint of the home will not be changed and the design will be consistent with the surrounding homes. There were no abutters present to speak on this project.

S. Bordeleau: Motion to close the public portion of the hearing

C. Mechalides: 2nd the motion

In Favor: 5 Opposed: 0

Passes: 5-0

Open Discussion by the Board and Q&A to Applicant with Applicant responses

- The Board asked what the intent was for all of the extra space and what would the attic access be. Mr. Primeau said that he hasn't finalized the design yet, but the space would probably be utilized for storage, and an office or playroom. The attic access would be a pull-down staircase.
- The Board stressed that the home should remain a 3 bedroom and have no in-law status.

Review Notes/Comments on Application from other Tyngsborough Departments

Building Commissioner: None

Planning Board: None

Board of Health: Needs to meet Title V & 3 Bedroom Deed Restriction.

Fire Dept.: None

Conservation Commission: None

Sewer Dept.: None

Highway Dept.: None

Other (if applicable): None

R. Kydd: Motion to grant a Variance under Section 2.12.50 for 9 Madeline Terrace

C. Mechalides: 2nd the motion

In Favor: 5 Opposed: 0

Passes Unanimous: 5-0

C. Mechalides: Motion to grant a Special Permit under Section 2.15.24 for 9 Madeline Terrace with the condition that it remains a 3-bedroom home with no stove and no-in-law apartment status.

R. Kydd: 2nd the motion

In Favor: 5 Opposed: 0

Passes Unanimous: 5-0

Motion written as follows:

JOSHUA PRIMEAU – 9 MADELINE TERRACE: Assessors Map 18, Parcel 41; approve a Variance from the requirements of Section 2.12.50, and a Special Permit under Section 2.15.24 to construct a second floor addition to an existing home with the condition that it remains a 3-bedroom home with no stove and no-in-law apartment status.

OTHER BUSINESS

1. Board Re-Organization

The Board reorganized the chairmanship as follows;

C. Mechalides: Motion to nominate Claire Cloutier as Chairman

C. Bradley: 2nd the motion

In Favor: 5 Opposed: 0 Abstain: 1

Passes: 5-0-1

C. Cloutier: Motion to nominate Robb Kydd as Vice Chairman

C. Bradley: 2nd the motion

In Favor: 5 Opposed: 0 Abstain: 1

Passes: 5-0-1

REPORTS/DISCUSSION

1. Rules & Regulations for Variances and Special Permits – Proposed Guidance Document

The Board is in the process of reviewing this document and will discuss it further at the February 14, 2013 meeting.

ADMINISTRATIVE

1. Minutes

C. Mechalides: Motion to approve the minutes as written for November 8, 2012.

J. Polin: 2nd the motion

In Favor: 5 Opposed: 0 Abstain: 1

Passes: 5-0-1

C. Cloutier: Motion to approve the minutes as written for December 10, 2012.

R. Kydd: 2nd the motion

In Favor: 6 Opposed: 0

Passes: 6-0

2. New Business:

- Next meeting is scheduled for February 14, 2013
- The Board requested that a letter be written to PSC Corp. (engineering firm for all of the 40B projects in Town) to request a status report on all of the 40B projects they have overseen for the Board. This will enable the Board to ascertain what remains to be done and close out projects if applicable.
- The 53G account held for Walter Eriksen's portion of the Maple Ridge project is currently at \$1,700. The Board requested that Mr. Eriksen be contacted to replenish the account to \$2,500 which was the agreement he had with the Board for this project.

8:40pm

J. Polin: Motion to adjourn

C. Bradley: 2nd the motion

In Favor: 6 Opposed: 0

Passes: 6-0

Minutes respectfully submitted by
Pamela Berman, ZBA Administrative Assistant